



State of New Jersey

DEPARTMENT OF ENVIRONMENTAL PROTECTION SITE REMEDIATION AND WASTE MANAGEMENT PROGRAM

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PHILIP D. MURPHY

Governor

SHEILA Y. OLIVER

Lt. Governor

CATHERINE R. McCABE

Commissioner

April 21, 2020

Re: Extension of Municipal Tonnage Grant (MTG) application deadline to July 1, 2020

As you know, on March 9, 2020, Governor Philip D. Murphy issued Executive Order #103 (EO 103) declaring the COVID-19 pandemic to be both a Public Health Emergency and State of Emergency in New Jersey. EO 103 authorized and empowered the executive head of any agency or instrumentality of the State Government with authority to waive, suspend or modify any existing rule where the enforcement of which would be detrimental to the public welfare during this emergency. In accordance with EO 103, on April 13, 2020, Commissioner McCabe signed A Notice of Rule Waiver/Modification/Suspension and Administrative Order No. 2020-05 which authorized temporary amendments of certain provisions of the Recycling Rules at N.J.A.C. 7:26A provided the Department finds such action to be: (1) necessary to ensure the continued appropriate management of solid and hazardous waste and recyclable materials and the services that support the same; (2) narrowly tailored to include only those regulatory modifications necessary to address circumstances created by or directly related to the COVID-19 pandemic; (3) applied consistently to similar situated entities and individuals; (4) limited to the duration of EO 103; and (5) with notice of any regulatory modifications provided on the Department's website.

The Department is aware that the necessary COVID-19 restrictions and limitations on gathering have made it difficult or impossible to collect and submit the 2019 recycling data to submit complete, accurate MTG applications by the regulatory due date of April 30, 2020.

Therefore, in accordance with Administrative Order No. 2020-05, the Department is extending the April 30, 2020 due date under 7:26-15.5(b) for submitting the 2019 MTG applications to July 1, 2020. Complete applications, consistent with the MTG Guide, are now due to the Department no later than July 1, 2020.

This narrowly tailored extension for all eligible applicants is necessary to ensure the continued management of solid and hazardous waste because the preparation of applications requires significant effort by municipalities and relies on information from other entities, all of whom may be impacted by COVID-19, and MTGs provide much needed funding for the municipalities to manage their local recycling programs. This extension further is limited to 60 days to provide relief within the duration of EO 103 and will be posted on the Department's COVID-19 Regulatory Compliance page (<https://www.nj.gov/dep/covid19regulatorycompliance/>) as well as the Municipal Recycling Tonnage Grant and Reporting Forms page (<https://www.nj.gov/dep/dshw/resource/Tonnage/index.htm>).

Because the extended application deadline is the same as the July 1 statutory deadline for submission of recycling tonnage reports, applicants will not be afforded an opportunity to submit supplemental information updating MTG reports or data. Accordingly, all information required for a complete application, including 2019 recycling data is required to be received by the Department no later than July 1, 2020. Failure to comply with the deadline of July 1st will disqualify you for a 2019 MTG grant.

Please contact Erin Jensen at (609) 633-1418 or at tonnagegrant@dep.nj.gov should you have any questions or comments.

Best Regards,



Mark J. Pedersen
Assistant Commissioner
Site Remediation and Waste Management Program

c. Mary Jo M. Aiello, Director, DSHW

